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Counsel for Plaintiff Travis France

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

TRAVIS FRANCE, Derivatively on behalf of
Nominal Defendant CleanSpark, Inc.

Plaintiff,

v.

ZACHARY K. BRADFORD, LORI L. LOVE,
S. MATTHEW SCHULTZ, LARRY MCNEIL,
THOMAS L. WOOD, AMER TADAYON, and
ROGER P. BEYNON,

Defendants,

-and-

CLEANSARK INC., a Nevada corporation,

Nominal Defendant.

Case No. 2:23-cv-00444-GMN-NJK

(Removal from District Court, Clark County,
Nevada, Case No. A-23-866925-C)

**JOINT MOTION AND [PROPOSED]
ORDER TO EXTEND DEADLINE TO
FILE RESPONSIVE PLEADINGS TO
DEFENDANTS' MOTION TO DISMISS**

(FIRST REQUEST)¹

¹ On April 5, 2023, the Parties filed a joint stipulation providing for similar relief sought in this motion. (ECF No. 19). Pursuant to LR 7-1(b), "[n]o stipulations relating to proceedings before the court, except those set forth in Fed. R. Civ. P. 29, are effective until approved by the court." As of the filing of this motion, the Parties' stipulation has not been granted or denied.

1 Plaintiff Travis France (“Plaintiff”), derivatively on behalf of nominal defendant
2 CleanSpark, Inc. (“CleanSpark”), and defendants Zachary K. Bradford, Lori L. Love, S.
3 Matthew Schultz, Larry McNeill, Thomas L. Wood, Amer Tadayon, Roger P. Beynon (the
4 “Individual Defendants”), and nominal defendant CleanSpark (together with the Individual
5 Defendants, “Defendants”) (collectively, with Plaintiff, the “Parties”), by and through their
6 undersigned counsel, hereby submit this joint motion to extend the deadline to file a responsive
7 pleadings to the Defendants’ motions to dismiss as follows:

9 1. On March 8, 2023, Plaintiff filed a shareholder derivative complaint (the
10 “Complaint”) on behalf of nominal defendant CleanSpark in the Eighth Judicial District Court
11 of the State of Nevada in and for Clark County (“State Court”), captioned *France v. Bradford,*
12 *et al.*, Case No. A-23-866925-C (the “Action”).

14 2. On March 23, 2023, the Individual Defendants filed a Petition for Removal and
15 Notice of Removal (ECF No. 1), removing this Action from State Court to the United States
16 District Court for the District of Nevada.

18 3. On March 31, 2023, Plaintiff filed a Motion to Remand this Action back to the
19 Eighth Judicial District Court of the State of Nevada in and for Clark County. (ECF No. 13).

21 4. On April 5, 2023, the Parties filed a joint stipulation providing for similar relief
22 sought in this motion. (ECF No. 19). Pursuant to LR 7-1(b), “[n]o stipulations relating to
23 proceedings before the court, except those set forth in Fed. R. Civ. P. 29, are effective until
24 approved by the court.” As of the filing of this motion, the Parties’ stipulation has not been
25 granted or denied.

26 5. On April 11, 2023, Defendants Zachary K. Bradford, Lori L. Love, S. Matthew
27 Schultz, and Amer Tadayon, joined by Larry McNeill, Thomas L. Wood, and Roger P. Beynon
28 (ECF. No. 35), filed a Motion to Dismiss or, in the Alternative, to Stay the Action. (ECF No.
25). Further, Larry McNeill, Thomas L. Wood, and Roger P. Beynon filed a separate Motion to

Dimiss. (ECF No. 34) (collectively, the “Motions”).

6. The Parties agree to extend the deadline for Plaintiff to oppose the Motions until on or before May 11, 2023.

7. The Parties agree to extend the deadline for Defendants’ to reply in support of the Motions until on or before June 1, 2023.

Dated: April 14, 2023

Dated: April 14, 2023

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Counsel for Plaintiff Travis France

ORDER

IT IS SO ORDERED.


UNITED STATES DISTRICT JUDGE

DATED: April 16, 2023
CASE NO. 2:23-cv-00444-GMN-NJK

CERTIFICATE OF SERVICE

I hereby certify that I am an attorney with **ALDRICH LAW FIRM, LTD.**, and on this date, I served a true and correct copy of the foregoing document on all parties to this action through the Court's electronic filing and notification system.

Dated: April 14, 2023

/s/ John P. Aldrich

JOHN P. ALDRICH